

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**DISPLAY TECHNOLOGIES, LLC,**

Plaintiff,

v.

**CANON U.S.A., INC., *et al.*,**

Defendants.

**Civil Action No. 2:17-cv-00192-JRG-RSP**

**CONSOLIDATED LEAD CASE**

**JURY TRIAL DEMANDED**

**DISPLAY TECHNOLOGIES, LLC'S RESPONSE TO  
DEFENDANT CANON U.S.A., INC.'S MOTION TO DISMISS**

Plaintiff Display Technologies, LLC ("Display") respectfully responds to Defendant Canon U.S.A., Inc.'s ("Canon") Motion to Dismiss and would show the Court as follows:

Plaintiff Display responds to Canon's motion to dismiss and would show this court as follows:

Canon filed a motion to dismiss, Dkt. No. 18. The parties conferred following the filing of that motion and agreed that Display is entitled to venue-related discovery in order to properly respond to the motion. Specifically, Display is seeking information regarding Canon USA's business activities in this judicial district. Accordingly, Display filed a motion, Dkt. No. 25, to extend the time to respond to the motion to dismiss until September 6, 2017 to allow for the necessary discovery.

The motion to extend the response date has not been ruled upon as of the filing of this paper and Display would request that the Court stay consideration of the motion to dismiss and this response until such time as the discovery sought has been obtained and this paper has been

supplemented based on that new information.

To show the good faith basis of Display's efforts in obtaining venue-related discovery, Display directs the court to a web page with contract information from The Texas Department of Information Resources listing Canon USA as a contract vendor and further listing "Reseller Vendor Contacts" that include contacts with entities in this judicial district in Beaumont, Plano, Texarkana and Tyler:

<http://dir.texas.gov/View-Search/Contracts-Detail.aspx?contractnumber=DIR-TSO-3101>

Attached as Exhibit A is a printout of a document entitled "E&I Canon USA Authorized Dealer List" that lists Canon USA dealers in this judicial district in Beaumont, Longview, Plano, Texarkana and Tyler.

Accordingly, Display requests that the Court stay consideration of Canon's motion to dismiss and this response until such time as Display has received venue-related discovery and supplemented this response.

Dated: August 4, 2017

Respectfully submitted,

/s/ Thomas C. Wright

Thomas C. Wright

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being notified of the filing of this document via the Court's CM/ECF system per Local Rule CV- 5(a)(3) on this 4<sup>th</sup> day of August, 2017.

/s/ Thomas C. Wright

Thomas C. Wright